

~~STATE OF CONNECTICUT~~
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES

In re: Thomas P. Stack

Petition No. 2000-0522-000-059

Lic# 000381

PRELICENSURE CONSENT ORDER

WHEREAS, Thomas P. Stack of Taconic, Connecticut (hereinafter "respondent") has applied for licensure to practice as an asbestos contractor by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 400a of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent agrees that:

1. The Department has at no time issued respondent a license to provide services as an asbestos contractor under the General Statutes of Connecticut, Chapter 400a.
2. The respondent provided services as an asbestos contractor in July 1998 during which time he was unlicensed.
3. The conduct described above constitutes grounds for the denial of respondent's application for licensure pursuant to §19a-14 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §19a-14 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives the right to a hearing on the merits of his application for licensure.
2. After satisfying the requirements for licensure as asbestos contractor as set forth in Chapter 400a of the General Statutes of Connecticut, respondent's license to practice as an asbestos contractor will be issued.

3. Respondent shall comply with all state and federal statutes and regulations applicable to his license.
4. Immediately upon issuance, respondent's license shall be reprimanded.
5. Respondent shall notify the Department of any change in his home and/or business address within fifteen (15) days of such change.
6. Any deviation from the terms of this Prelicensure Consent Order without prior written approval of the Department shall constitute a violation. A violation of any term(s) of this Prelicensure Consent Order shall result in the right of the Department in its discretion to immediately deem respondent's asbestos consultant inspector license rescinded. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department's right to take action at a later time. The Department shall not be required to grant future extensions of time or grace periods. Notice of the rescission of the license shall be sent by the Department to respondent's address of record. Respondent waives any right to a hearing on the issue of violation of the terms of this Prelicensure Consent Order.
7. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department.
8. Respondent understands that this Prelicensure Consent Order may be considered as evidence of the above-admitted violations in any proceeding before the Connecticut Department of Public Health in which (1) his compliance with this Prelicensure Consent Order is at issue, or (2) his compliance with § 20-436 of the Connecticut General Statutes, as amended, is at issue.

9. This Preliminary Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Preliminary Consent Order is not subject to appeal or review under the provisions of Chapters 54 and 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any other rights that he may have under the laws of the State of Connecticut or of the United States.
10. This Preliminary Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
11. This Preliminary Consent Order is effective when accepted and approved by a duly appointed agent of the Department.
12. Respondent understands this Preliminary Consent Order is a matter of public record.
13. Respondent understands he has the right to consult with an attorney prior to signing this Preliminary Consent Order.

I, Thomas P. Stack have read the above Prelicensure Consent Order, and I agree to the terms and allegations set forth therein. I further declare the execution of this Prelicensure Consent Order to be my free act and deed.

T. P. STACK

Thomas P. Stack

Subscribed and sworn to before me this 15th day of October 2001.

Susan Dickinson

Notary Public or person authorized,

by law to administer an oath

affirmation

SUSAN DICKINSON
NOTARY PUBLIC

MY COMMISSION EXPIRES MAR. 31, 2008

The above Prelicensure Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 15th day of Oct 2001, it is hereby ordered and accepted.

Debra Turcotte

Debra Turcotte, Director

Division of Health Systems Regulation

CS